

Message Text

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INFO OCT-01 EUR-12 ISO-00 IOE-00 OIC-02 SSO-00 NSCE-00

USIE-00 INRE-00 STR-04 DIWY-01 L-02 FRB-01 OMB-01

TAR-01 SP-02 AGR-10 AID-05 CIAE-00 COME-00 EB-07

INR-07 LAB-04 NSAE-00 SIL-01 TRSE-00 CIEP-02 CEA-01

SS-15 NSC-05 H-02 DODE-00 PA-02 PRS-01 AF-06 ARA-10

EA-10 NEA-09 HUD-02 HEW-06 INT-05 XMB-04 FEA-01 /152 W

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC IMMEDIATE 5270

INFO USMISSION USUN NEW YORK IMMEDIATE

UNCLAS SECTION 1 OF 2 VIENNA 2842

USUN FOR AMBASSADOR BENNETT

E.O. 11652: N/A

TAGS: UNIDO, EAID, AORG, OCON

SUBJECT: UNIDO - US RESERVATIONS ON UNIDO-II DECLARATION AND
PLAN OF ACTION

REF: LIMA 2558

1. THERE FOLLOWS THE TEXT OF THE US RESERVATIONS
SUBMITTED IN WRITING AT UNIDO-II FOLLOWING THE CONFERENCE'S
ADOPTION OF THE LIMA DECLARATION AND PLAN OF ACTION.

WE HA

VE BEEN INFORMED UNOFFICIALLY THAT THE SECRETARIAT
WOULD ACCEPT AMENDMENTS THERETO PROVIDED THESE RECEIVED
IN THE SECRETARIAT BY COB MONDAY, A
PRIL 7 (VIENNA TIME).

IF DEPT. WISHES ENTER SUCH A
MENDMENTS THEY WILL HAVE TO

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BE PROVIDED US URGENTLY.

2. (BEGIN TEXT) THE UNITED STATES
HAS INDICATED ITS
POSITION ON THIS DECLARATION AND PLAN OF ACTION BY ITS
INDIVIDUAL VOTES ON TEN PARA
GRAPHS AND BY ITS NEGATIVE
VOTE ON THE DOCUMENT AS A WHOLE. WE REGRET THE SITUATION
WHICH WE CONSIDERED REQUIRED OUR NEGATIVE VOTE ON THIS
DECLARATION AND PLAN OF ACTION BECAUSE WE BELIEVE
THAT MATTERS IMPORTANT TO THE INDUSTRIAL DEVELOPMENT
OF DEVELOPING COUNTRIES HAVE BEEN CONSIDERED AT THIS
CONFERENCE AND ARE CONTAINED IN THIS DCOUMENT. THE
GROUP OF 77 CONSIDERED IT NECESSARY TO HAVE INCLUDED
IN THE DOCUMENT STATEMENTS OF WHAT IT REGARDED AS
FUNDAMENTAL PRINCIPLES ABOUT WHICH IT WAS UNWILLING TO
NEGOTIATE. THE UNITED STATES ALSO CONSIDERS CERTAIN
PRINCIPLES AS FUNDAMENTAL AND, IN MOST OF THE PARAGRAPHS

ON WHICH WE VOTED, WE FOUND THAT OUR FUNDAMENTAL

PRINCIPLES WERE BEING IMPINGED UPON BY LANGUAGE

ADVOCATED BY THE GROUP OF 77.

THE STATEMENTS UPON WHICH WE VOTED NEGATIVELY OR
ABSTAINED WERE CONTAINED IN PARAGRAPHS 19, 32, 33 AND
47 OF THE DECLARATION AND IN PARAGRAPHS

59 (I) AND (J),

60 (E) AND

(F), 61 (E) AND 76 OF THE PLAN OF
ACTION.

IN A NUMBER OF OTHER PA

RAGRAPHS OF THE DOCUMENT WE

FOUND THAT THE STATEMENTS REFLECTED JUDGMENTS OF THE

ACTIONS OF OURSELVES AND

OTHERS WHICH WE COULD NOT

ACCEPT OR CONTAINED CRITICAL OR RECRIMINATORY COMMENTS

WHICH WE BELIEVED IT NECESSARY TO REJECT. THE UNITED

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STATES,

THEREFORE, WISHES TO RESERVE ON THE FOLLOWING

PARAGRAPHS OF THE DOCUMENT IN ADDITION TO THOSE UPON

WHICH WE ABSTAINED OR VOTED AGAINST: 5, 9, 10, 11,

13, 14, 16, 17, 18, 25, 26, 40, 42, 46, 48 AND 53

OF THE DECLARATION AND 59 (D), (G) AND (H),

60 (H), 61 (D), 62, 63, 69, AND 73 (III) OF THE

PLAN OF ACTION.

ONE OF THE MAJOR QUESTIONS DEALT WITH IN THIS

DOCUMENT IS THAT OF PERMANENT SOVEREIGNTY OVER NATURAL

RESOURCES. THE UNITED STATES OF COURSE SUPPORTS THAT SOVEREIGNTY AND ITS EXERCISE AS APPROPRIATE, BUT THE RIGHT OF SOVEREIGNTY OVER NATURAL RESOURCES IS NO MORE ABSOLUTE THAN ANY OTHER RIGHT. IT MUST TAKE ACCOUNT OF OTHER RIGHTS; AND, IN PARTICULAR, IT MUST BE EXERCISED IN ACCORDANCE WITH A STATE'S INTERNATIONAL OBLIGATIONS. SUCH A BALANCED APPROACH WAS SET FORTH IN GENERAL

ASSEMBLY RESOLUTION 1803 (XVII). HOWEVER, CERTAIN RESOLUTIONS ADOPTED MORE RECENTLY LACK THIS CRITICAL

BALANCE. ACCORDINGLY, THE UNITED STATES COULD NOT SUPPORT THOSE RESOLUTIONS. IT WILL NOT LEND ITS SUPPORT TO THIS DECLARATION IN SO FAR AS IT PURPORTS TO AFFIRM RIGHTS IN DEROGATION OF INTERNATIONAL LAW, OR FAILS TO SPECIFY THAT THE EXERCISE OF PERMANENT SOVEREIGNTY AND ALLIED RIGHTS, SUCH AS THAT OF NATIONALIZATION, MUST BE IN ACCORDANCE WITH A

STATE'S INTERNATIONAL OBLIGATIONS.

IT MAY ALSO BE USEFUL TO RESTATE THE POSITION OF THE UNITED STATES ON THE CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES. THE UNITED STATES FELT

CONSTRAINED TO VOTE AGAINST THE CHARTER WHEN IT

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WAS BROUGHT TO A VOTE AT THE 29TH SESSION OF THE GENERAL

ASSEMBLY. THE UNITED STATES VOTED AGAINST THE CHARTER NOT BECAUSE

IT OPPOSED THE PRINCIPLE OF A CHARTER OR MUCH OF ITS CONTENT. ON THE CONTRARY, IT SUPPORTED, AND SUPPORTS, THE PRINCIPLE OF A CHARTER AND VOTED IN FAVOR OF MOST OF THE CHARTER'S

ARTICLES. THOSE ARTICLES WERE THE RESULT OF A PROCESS

OF EXTENSIVE AND INTENSIVE NEGOTIATIONS IN WHICH THE

UNITED STATES PARTICIPATED FULLY.

HOWEVER, IN THE VIEW OF THE UNITED STATES, THE
CHARTER AS ADOPTED CONTAINS A

NUMBER OF ARTICLES AND

PASSAGES THAT ARE UNACCEPTABLE. THE POSITION OF THE
UNITED STATES ON THESE ARTICLES AND PASSAGES WAS SET
OUT IN THE GENERAL ASSEMBLY AT
THE TIME OF THE CHARTER'S
ADOPTION AND NEED NOT BE REPEATED NOW. THE UNITED STATES
SHOULD LIKE TO NOTE, HOWEVER, THAT, IF A DISPOSITION TO
RENEGOTIATE THE ARTICLES AGAINST WHICH
THE UNITED STATES AND A
NUMBER OF OTHER INDUSTRIALIZED
DEMOCRACIES VOTED SHOULD BE MANIFESTED, THE UNITED STATES
WOULD BE PREPARED TO TAKE A

CONSTRUCTIVE
PART IN THEIR RENEGOTIATIONS. SUBSTANTIAL

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RENEGOTIATION WOULD BE REQUIRED IN UNIVERSAL A

GREEMENT
IS TO BE ACHIEVED, FOR, AS IT IS, THE OBJECTIONABLE
ARTICLES RENDER THE CHARTER AS A WHOLE A DOCUMENT
WHICH IS NEITHER BALANCED NOR EQUITABLE.
PENDING SUCH RENEGOTIATION, THE UNITED STATES

MUST MA
INTAIN ITS POSITION OF OPPOSITION TO THE CHARTER.
WE THEREFORE TRUST IT WILL BE UNDERSTOOD THAT THE
UNITED STATES CANNOT SUPPORT REFERENCES IN THIS
CODUMENT WHICH IMPLY ENDORESEMENT OF THE CHARTER AS

WHOLE, WHICH CALL FOR ITS UNQUALIFIED IMPLEMENTATION,

OR WHICH CHARACTERIZE IT AS A DOCUMENT THAT WILL

PROMOTE THE A
CHIEVEMENT OF A
MORE JUST INTERNATIONAL
ORDER DESIRED BY ALL STATES. WE ACKNOWLEDGE THE HIGH

PURPOSES THE CHARTER SET OUT TO ACHIEVE BUT, IN OUR

VIEW, IT WILL REQUIRE IMPORTANT AMENDMENTS IF IT IS

INDEED TO MAKE A REAL CONTRIBUTION TO A JUST, BALANCED

WORLD ORDER.

THE UNITED STATES HAS A

ALSO BEEN UNABLE TO ACCEPT

THE VARIOUS REFERENCES IN THE DOUCMENT TO
PRODUCERS' ASSOCIATIONS BECAUSE THEY REPRESENT EXPLICIT
OR IMPLICIT UNQUALIFIED ENDORSEMENT OF THE ACTIONS OF
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SUCH A

SSOCIATIONS WITHOUT REFERENCE TO THE LEGITIMATE

INTERESTS OF CONSUMERS. IN FACT, THE REFERENCES IN THE

DOCUMENT IMPLY THE NECESSITY OF PRODUCER CONFRONTATION
OF CONSUMERS. UNILATERAL ACTIONS BY PRODUCERS AN OR

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ACTION IO-10

INFO OCT-01 EUR-12 ISO-00 IOE-00 OIC-02 SSO-00 NSCE-00

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC IMMEDIATE 5271

INFO USMISSION USUN NEW YORK IMMEDIATE

UNCLAS SECTION 2 OF 2 VIENNA 2842

USUN FOR AMBASSADOR BENNETT

UNILATERAL ACTIONS BY CONSUMERS--WILL NOT RESULT
IN A STABLE EQUILIBRIUM IN COMMODITY TRADE NOR

PROMOTE THE EXPANSION OF MARKETS, DEPENDABLE INCOMES
FOR PRODUCERS, ADEQUATE A
ND DEPENDABLE SUPPLIES FOR
CONSUMERS AND STABLE PRICES THAT ARE BOTH REMUNERATIVE
TO PRODUCERS AND FAIR TO CONSUMERS THAT THE UNITED
STATES CONSIDERS NECESSARY FOR THE INTERNATIONAL
TRADING SYSTEM. WE WOULD NOTE IN PASSING THAT NO
INDEXATION LINK BETWEEN THE PRICES OF IMPORTS AND
EXPORTS OF DEVELOPING COUNTRIES AS HAS BEEN SUGGESTED
IN THIS DOCUMENT IN PRACTICALLY FEASIBLE OR NECESS
RILY
MORE JUST THAN THE RELATIONSHIP ESTABLISHED BY THE
MARKET SYSTEM, CONSIDERING THE CONTANTLY CHANGING
NATURE OF ECONOMIC RELATIONSHIPS THROUGH CHANGE
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IN AVA

ILABLE RESOURCES, TECHNOLOGY, ETC.

IN CONTRAST TO THE NEGATIVE COMMENTS UPON THE
ACTIONS OF MA

RKETS IN THIS DOCUMENT, THE UNITED STATES
BELIEVES THAT MARKETS PERFORM IMPORTANT ALLOCATION
FUNCTIONS MORE EFFICIENTLY THROUGHOUT AN ECONOMY IN MOST
INSTANCES THAN DO CENTRALIZED DECISION-MAKING MECHANISMS.

A WELL-REGULATED MARKET CAN MAKE AN IMPORTANT POSITIVE
CONTRIBUTION TO DEVELOPMENT.

FOR SIMILAR REASONS WE BELIEVE THAT PRIVATE FIRMS
AND TRANSNATIONAL ENTERPRISES CAN PLAY IMPORTANT ROLES IN
THE INDUSTRIALIZATION PROCESS. REGULATION OF SUCH
ENTERPRISES BY HOST DEVELOPING COUNTRIES IS REASONABLE
AND NECESSARY. WE BELIEVE, HOWEVER, THAT THE EMPHASIS

IN DEVELOPING COUNTRIES SHOULD BE PLACED UPON
SUPERVISION RATHER THAN CONTROL OF TRANSNATIONAL
ENTERPRISES IN ORDER TO ENCOURAGE AND STIMULATE THEIR
CONTRIBUTIONS TO INDUSTRIAL DEVELOPMENT OBJECTIVES
RATHER THAN LIMIT THEIR EFFECTIVENESS.

IN THIS CONTEXT OF INDUSTRIAL DEVELOPMENT THE
UNITED STATES FINDS REFERENCE TO NEO-COLONIALISM,
FOREIGN OCCUPATION, AGGRESSION AND DOMINATION OUT OF

PLACE. THESE ARE MOOT POLITICAL QUESTIONS WHICH IN
LARGE PART ARE MORE APPROPRIATELY PURSUED ELSEWHERE.

THE UNITED STATES WANTS TO MAKE CLEAR THE NATURE OF
ITS RESERVATIONS TO THE SECTIONS DEALING WITH THE LEAST

DEVELOPED, LAND-LOCKED AND ISLAND DEVELOPING COUNTRIES.
THE UNITED STATES HAS

A
GREED TO AND STRONGLY SUPPORTS
THE CONCEPT OF SPECIAL ASSISTANCE TO LEASE DEVELOPED
COUNTRIES AND CERTAINLY IN SOME CASES THE FACT OF THE
GEOGRAPHICAL SITUATION OF A COUNTRY IS AN IMPORTANT
FACTOR IN ITS BEING CLASSIFIED AS LEAST DEVELOPED.
HOWEVER, IT HAS BEEN THE CONSISTENT UNITED STATES
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POSITION NOT TO SINGLE OUT LAND-LOCKED OR ISLAND
DEVELOPING COUNTRIES FOR SPECIAL TREATMENT SOLELY
BECAUSE OF THAT CHARA

CTERISTIC.

AT THE 29TH GENERAL

SSEMBLY, FOR EXAMPLE, THE
UNITED STATES DELEGATION TOOK THE POSITION THAT,
WHILE THE UNITED STATES RECOGNIZES THAT
SOME DEVELOP-
ING COUNTRIES FA
CE SPECIAL PROBLEMS BECAUSE OF THEIR
GEOGRAPHICAL LOCATION, AND THAT THIS FACTOR SHOULD BE
TAKEN CAREFULLY INTO ACCOUNT IN AID AND OTHER PROGRAMS

A
IMED AT ASSISTING THEIR DEVELOPMENT, ANY
SPECIAL MEASURES OR PREFERENTIAL A
RRANGEMENTS SHOULD
BE DETERMINED BY AN ANALYSIS OF EACH COUNTRY'S
INDIVIDUAL NEEDS AND SITUATION.

THE DECLARATION AND
PLAN OF ACTION CONTAIN A
NUMBER OF REFERENCES TO THE DECLARATION AND PROGRAMME
OF ACTION OF THE SIXTH SPECIAL SESSION OF THE UNGA,

ON WHICH THE UNITED STATES MADE A NUMBER OF SPECIFIC
RESERVATIONS AS WELL AS A GENERAL
RESERVATION.
WE CONTINUE TO BE UNABLE TO REGARD THOSE DOCUMENTS AS
CA
RRYING THE FORCE AND AUTHORITY OF FUNDAMENTAL
PRINCIPLES AS CLA
IMED BY THE DEVELOPING COUNTRIES.
FURTHERMORE, WITH RESPECT TO THE USE OF THE TERM
"A NEW INTERNATIONAL ECONOMIC ORDER," WE DO NOT
CONSIDER SUCH AN ORDER TO BE DEFINED BY THE SIXTH
SPECIAL SESSION DECLARATION AND PROGRAMME OF ACTION.
RATHER, IN OUR AGREEMENT TO THE TERM'S USE, IT
REFLECTS GENERAL OBJECTIVES FOR EXPANSION AND
IMPROVEMENT OF INTERNATIONAL ECONOMIC RELATIONS
CONDUCTIVE TO THE ECONOMIC ADVANCEMENT AND DEVELOPMENT
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OF ALL NATIONS WITH PARTICULAR EMPHASIS ON THE NEEDS
OF THE DEVELOPING COUNTRIES.

IT SHOULD BE NOTED THAT THIS DISCUSSION OF
PARAGRAPHS TO WHICH WE HAVE OBJECTED IS NOT INTENDED
TO BE EXHAUSTIVE. OUR RESERVATIONS ARE TO THE
PARAGRAPHS INDICATED ABOVE, BUT THOSE RESERVATIONS
EXTEND TO THE WHOLE TONE OF THIS DOCUMENT.

IN CLOSING, WE REMAIN HOPEFUL THAT A POSITIVE
AND FORWARD LOOKING DIALOGUE CAN BE ESTABLISHED IN THE
UN WITH RESPECT TO THE MANIFOLD AND COMPLEX ISSUES OF
DEVELOPMENT. ALTHOUGH WE REMAINED UNCONVINCED OF THE
WISDOM OF TRANSFORMING UNIDO INTO A SPECIALIZED AGENCY,
THE UNITED STATES WOULD HAVE ABSTAINED IF THE PA
RA
GRAPH
DEALING WITH THIS POINT HAD BEEN BROUGHT TO A VOTE AS
AN INDICATION OF OUR DESIRE TO KEEP OPEN THE POSSIBILITY
OF AN EXPANDED ROLE FOR UNIDO IN A MORE COOPERATIVE
INTERNATIONAL DEVELOPMENT ENVIRONMENT. (END TEXT)
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